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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,054	02/02/2001	David M. Payne	10002870-1	9358
7590	04/07/2004		EXAMINER	
			NGUYEN, LEE	
			ART UNIT	PAPER NUMBER
			2682	4
DATE MAILED: 04/07/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/776,054	PAYNE ET AL.	
Examiner	Art Unit		
LEE NGUYEN	2682		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 January 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 and 8-27 is/are rejected.
- 7) Claim(s) 6-7 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the communication filed 1/12/2004.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 8-10, 13-18 and 21-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Monroe (US 2002/0065076).

Regarding claim 1, Monroe teaches a mobile phone handset, comprising: a multi-purpose connection adaptor 34 (figs. 4B, 13-15) configured to connect said mobile phone handset to at least one of a plain ordinary telephone line, a local area network and one or more computing devices, see [0040], [0045], [0047].

Regarding claim 2, Monroe also teaches a network controller 60 configured to allow said mobile phone handset to communicate with said local area network (fig. 13).

Regarding claim 3, Monroe also teaches a processor control subsection 60 (fig. 13) configured to control operations of said mobile phone handset; a line detector configured to send said processor control subsection a local area network present signal if said connector is connected to said local area network, see [0010].

Regarding claims 4, 16, Monroe also teaches that said processor control subsection 60, 122 (figs. 13-15) is configured to allow a user of said mobile phone handset to access said local area network through a user interface of said mobile phone handset, see [0059], [0060].

Regarding claim 5, Monroe also teaches a network controller 128 (fig. 15) configured to allow said mobile handset to communicate with said one computing device, each of said one or more computing devices inherently having a device network controller configured to communicate with said network controller using a network communication protocol, see [0060].

Regarding claim 8, Monroe teaches a plain ordinary telephone transmitter receiver circuitry 128 (fig. 15) configured to send and receive telephone call signals to and from said plain ordinary telephone line 133.

Regarding claims 9-10, 18, Monroe also teaches a processor control subsection configured to control operations of said mobile phone handset; and a line detector configured to send said processor control subsection a plain ordinary telephone line present signal if said connector is connected to said plain ordinary telephone line and allow the user of said mobile phone handset to place a call through said plain POTS (see figure 2D, numerals 20, 24).

Regarding claim 13, Monroe also teaches a modem (Data Modem, fig. 13) configured to communicate with said one computer device through said POTS; and a line detector 60 configured to send said processor control subsection a POTS present signal if said connector is connected to said one computer device, see [0058].

Regarding claims 14, 17, Monroe also teaches that said processor subsection 60 (fig. 13) is configured to allow a user of said mobile phone handset to access a wide area network through a user interface of said one

computing device (DATA MODEM) if said connector is connected to said one computer device (fig. 2D, numerals 23, 27).

Regarding claim 15, the claim is interpreted and rejected for the same reason as set forth in claim 1. Monroe also teaches allowing a user to operate said mobile phone handset using the PTOS (fig. 2D).

Regarding claim 21, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 22, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 23, Monroe inherently teaches a line detector/modem/crossover unit as claimed (see fig. 2B).

Regarding claim 24, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 25, the claim is interpreted and rejected for the same reason as set forth in claim 23.

Regarding claim 26, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 27, the claim is interpreted and rejected for the same reason as set forth in claim 23.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 11-12, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe.

Regarding claims 11-12 and 19-20, Monroe as modified fails to teach dialing according to stored numbers and displaying caller ID. It is taken

official notice that the art of dialing according to stored numbers and displaying caller ID is conventionally well known. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide dialing according to stored numbers and displaying caller ID in order to dial call quicker and to screen unwanted calls.

Allowable Subject Matter

6. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 6, the prior art of record fails to teach a line detector as claimed.

Response to Arguments

7. Applicant's arguments with respect to claims 1-5, 8-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is (703)-308-5249. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN CHIN can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lee Nguyen 3/28/04
LEE NGUYEN
Primary Examiner
Art Unit 2682